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International Court of Justice

OFFICE OF U.S. CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date : 2 August 1948

I certify that Document Number TC-72-134 was introduced into evidence as Exhibit Number GB-62 in the Trial by the International Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

Fred NIEBERGALL
Chief, Document
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C E R T I F I C A T E

I hereby certify that the annexed document TC-72-139 No. GB- 62 is a photostat of an original document submitted in evidence by the British Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the OCCWC Evidence Library, Palace of Justice, Nuremberg.

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military Tribunal

Nuremberg, 28 July 1948

[4.]

TC72

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 39
Filed Aug 6 1945

Miscellaneous No. 9 (1939)

DOCUMENTS

CONCERNING

GERMAN-POLISH RELATIONS

AND THE

OUTBREAK OF HOSTILITIES BETWEEN GREAT BRITAIN AND GERMANY ON SEPTEMBER 3, 1939

Presented by the Secretary of State for Foreign Affairs to Parliament by Command of His Majesty

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No. 138.

Reply of the Polish Government.

In their reply the Polish Government referred to the telegram from President Moscicki to President Roosevelt, in which the principle of mediation had already been accepted by Poland. The Polish Government further expressed their approval of the initiative taken by the two Sovereigns. They also emphasised that they were not for the moment prepared to make any more detailed statement, since none of the proposals of a similar nature had hitherto called forth any favourable response from the German Government.

GB-62

Broadcast Appeal for Peace by His Holiness the Pope, August 24, 1939, and the Reply of His Majesty's Government.

No. 139.

The Appeal.

(Translation.)

Once again a critical hour strikes for the great human family; an hour of tremendous deliberations, towards which our heart cannot be indifferent and from which our spiritual authority, which comes to us from God to lead souls in the ways of justice and of peace must not hold itself aloof.

Behold us then with all of you, who in this moment are carrying the burden of so great a responsibility, in order that through our voice you may hear the voice of that Christ from Whom the world received the most exalted example of living, and in whom millions and millions of souls repose their trust in a crisis in which His word alone is capable of mastering all the tumultuous disturbances of the earth.

Behold us with you, leaders of peoples, men of State and men of arms, writers, orators of the radio and of the public rostrum and all those others who have the power to influence the thought and action of their fellow-men for whose destiny they are responsible

We, armed only with the word of Truth and standing above all public disputes and passions, speak to you in the name of God from "Whom all paternity in heaven and earth is named"—in the name of Jesus Christ, Our Lord, who desired that all men be brothers—in the name of the Holy Ghost, Gift of God most High, inexhaustible source of love in the hearts of men.

To-day, notwithstanding our repeated exhortations and our very particular interest, the fear of bloody international conflict becomes more excruciating; to-day, when the tension of minds seems to have arrived at such a pass as to make the outbreak of the awful scourge of war appear imminent, we direct with paternal feeling a new and

more heartfelt appeal to those in power and to their peoples: to the former that, laying aside accusations, threats, causes of mutual distrust, they may attempt to resolve their present differences with the sole means suitable thereto, namely, by reciprocal and trusting agreements; to the latter that in calm tranquillity, without disordered agitation they may encourage the peaceful efforts of those who govern them.

It is by force of reason and not by force of arms that Justice makes progress; and empires which are not founded on Justice are not blessed by God. Statesmanship emancipated from morality betrays those very ones who would have it so.

The danger is imminent but there is yet time.

Nothing is lost with peace; all may be with war. Let men return to mutual understanding. Let them begin negotiations anew. Conferring with goodwill and with respect for reciprocal rights they will find that to sincere and conscientious negotiators, an honourable solution is never precluded.

They will feel a sense of greatness—in the true sense of the word—if by silencing the voices of passion, be it collective or private, and by leaving to reason its rightful rule, they will have spared the blood of their fellow men and saved their country from ruin.

May the Almighty grant that the voice of this Father of the Christian family, of this Servant of servants, who bears amongst men, unworthily, indeed, but nevertheless really, the person, the voice and the authority of Jesus Christ, find in the minds and in the hearts of men a ready and willing reception.

May the strong hear us that they may not become weak through injustice; may the powerful hear us if they desire that their power be not a destruction but rather a protection for their peoples and a safeguard to tranquillity in public order and in labour.

We beseech them by the blood of Christ, whose conquering force in the world was His mildness in life and in death. And beseeching them we know and we feel that we have with us all those who are upright of heart; all those who hunger and thirst after justice—all those who already suffer every sorrow through the evils of life. We have with us the heart of mothers which beats as one with ours; the fathers who would be obliged to abandon their families; the lowly who labour and do not understand; the innocent upon whom weighs heavily the awful threat; the young men, generous knights of the purest and noblest ideals. And with us also is the soul of this ancient Europe which was the product of the faith and of Christian genius. With us all humanity seeks justice, bread, freedom; not steel which kills and destroys. With us that Christ, Who has made His one, solemn commandment—Love of One's Brother—the very substance of His religion and the promise of salvation for individuals and for nations.

Recalling finally that human efforts are of no avail without Divine assistance, we invite all to raise their eyes to Heaven and to beseech the Lord with fervent prayer that His divine grace descend in

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abundance upon this world in its upheaval, placate dissensions, reconcile hearts and evoke the resplendent dawn of a more serene future.

To this end and with this hope we impart to all, from the heart, our paternal Benediction.

No. 140.

Viscount Halifax to Mr. Osborne (Holy See).

(Telegraphic.) *Foreign Office, August 25, 1939, 5·15 P.M.*

PLEASE inform the Cardinal Secretary of State, or if it is practicable the Pope himself, that His Majesty's Government have much appreciated the moving and dignified appeal for peace which His Holiness broadcast to the world last night.

2. In my own broadcast yesterday evening I referred to the Pope's message, but I should wish His Holiness to know in a more direct manner of the response which his words have evoked in the hearts and minds not only of His Majesty's Government, but of the people of this country as a whole.

GB-63

Further Appeal by His Holiness the Pope and action by His Majesty's Government.

No. 141.

Mr. Osborne to Viscount Halifax (received 3·45 P.M.)

(Telegraphic.) *Holy See, August 31, 1939.*

CARDINAL SECRETARY of State has just handed me a note of which the following is a translation :—

"The Pope is unwilling to abandon hope that pending negotiations may lead to a just pacific solution such as the whole world continues to pray for.

"His Holiness therefore, in the name of God, beseeches the German and Polish Governments to do all that is in their power to avoid any incident and to abstain from taking any step that might aggravate the present tension.

"His Holiness begs the British, French and Italian Governments to support his appeal."

Copies of the above were also handed to the Ambassadors of Germany, Poland, France and Italy. His Eminence also gave a copy to the Spanish Ambassador and is causing a copy to be conveyed to the United States Ambassador to the Quirinal.

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